IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.739 OF 2006
IN
CRIMINAL APPEAL NO.684 OF 2006

Kiran Dinkar More ...Applicant

vs.

The State of Maharashtra ...Respondent

Mr.Rakesh Bhatkar i/b Mr.Chetan Agarwal for the Applicant
Mr.D.P.Adsule,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : NOVEMBER 28,2006.

P.C.:

1. Heard Advocate for the Applicant and the learned A.P.P. for the State. The Applicant is the Accused No.1 who has been convicted for offence under section 307 read with section 34 of the Indian Penal Code. Substantive sentence is R.I. for three years. In the impugned order, it is recorded that the Applicant was in jail from 19th October 1992 till 25th November 1993. He was enlarged on bail. Thereafter, the Applicant was on bail throughout the pendency of the trial. The Applicant was taken in custody on 4th April 2006. Thus, out of period of sentence of three years, the Applicant has already undergone sentence for more than one and half year. The Appeal is not likely to be heard before the balance period of sentence is over. Considering the facts and circumstances of the case, the Applicant deserves to be enlarged on bail.

2. Application is disposed of by passing the following order:

i) The Applicant shall be enlarged on the same bail on which he was enlarged during the pendency of the trial subject to filing fresh bail bonds.

ii) Bail is granted subject to condition that the Applicant will report to Antop Hill Police Station once in every calendar month till the disposal of the Appeal.

JUDGE